

Frequently Asked Questions from all the SEND Webinars

We committed to collecting the questions from the webinars and answering as many as possible. Many were answered during the presentations, some were answered directly on screen and the most common questions have been added below. A few questions were so specific to the schools/situations that we are unable to answer without a full picture.

*Recordings of the presentations can be found at:
www.provisionmap.co.uk/webinar*

Information on the legal changes

*39 Essex Chambers held a webinar on the Entitlement for SEND children during COVID-19, on 6th May 2020. This is a recording:
https://us02web.zoom.us/rec/share/3-Isde73qEdJc4nEsVPwWf4eObbUeaa8gXBKr_YLnUwkbW-vhM35_It9QO8L6YBh*

EHCP reviews (and reviews in general)

1. Is there any advice you can provide around holding EHCP reviews? Thank you.
Natalie gave advice on this in the first part of the presentation.
2. I'd worry that any information gathered at an Annual Review now would become quickly out of date as the impact of the current situation will have a huge effect on some children - socially, emotionally and with regard to academic learning. May need to hold another meeting very quickly - definitely before another year as EHP may well not reflect need. *We don't disagree with this. It leaves you with two options. Review now and set something in place or negotiate for an extension. If things are working at the moment than it makes more sense to leave things as they are and review at a later stage. Ultimately, the final call will be down to your LA, with your advice.*
3. With the reviews what do I do as the outside agencies have not been able to come in and do their usual pre review observations and reports. *Without stating the obvious, when we go back it will be all hands to the deck and no different. Services will be stretched thin. Those that have seen the child since the last review can give a report up to that point and it will just have to be noted that pre*

review observations were not possible due to COVID-19. Some services might agree to a remote session with students.

4. What do we do if we have been advised by the LA to not hold Annual Reviews and that they are not going to be carrying out assessments for new applications (they are doing ones that are already in progress)? *With regards to the first part of this, if that is what they are saying then there isn't a lot you can do to force their hand. With regards to the 'no new applications' - the CoP hasn't changed, nor the timelines (yet) and therefore if you have a child with the need you put in the application and they will need to process it. It is complicated to undertake assessments but there are plenty of success stories where they've managed to undertake things using online mechanisms.*

5. Can any reviews/assessments be caveated with produced during Covid so we can see if they aren't quite right that there's a reason... and can then be reviewed more quickly? *Absolutely, I (Abigail) would be stamping this large across everything at the moment!*

6. How would you recommend we upkeep records for pupils with EHCPs? Children have School Support Plans that we would usually review but as time goes on this becomes more challenging as we do not have up to date assessments/ understanding of where the children are. Should new targets be set for the home context? *As long as it is working towards the overall objectives, that sounds like a really sensible idea.*

7. What happens to IEPs for summer term? *If you use IEPs/One plans/Passports (for SEN support students) then you will review in line with your policy. (If you don't intend reviewing because of these circumstances, then you will need to change your policy and have it ratified by your governing body.) Some schools have elected to review up to the point schools closed and not write a new plan for the time being. Others have written plans that reflect the changes and targets are more focussed on life skills and what can be achieved at home.*

8. As I am very new to the SENDCo role I am feeling slightly overwhelmed and anxious... Could you list those 'things to do' part again? Also, I am having problems getting the annual reviews organised. How much of an issue is this or should I concentrate more on delivering the EHCPs as best I can? *Talk to your LA with regards to the annual reviews, you may find they have a plan already up their sleeve. Yes, to the second part of your question. Provide what you can, and as a relatively new SENCO build your relationships with the families. Reach out for support and reassurance from the social media groups available.*

9. I would like to ask how the Annual Review process will look like now, especially for the children moving to secondary schools. *The annual review for a Y6 child usually takes place in the autumn term so that the new school can be named in the spring term. Like any other review for any other year group, if this hasn't happened, then it would be a good idea to get this in place as best you can with some haste as the secondary schools will need to be consulted about places.*

Provisions - original answers are from the 22nd April. The law changed on 1st May. Absolute duty became reasonable endeavours.

1. Most of our children on EHCPs are not having specific outside agency support, with the exception of speech and language therapy. Should the SALT team be providing programmes for parents to complete at home? We have decided as a school not to do live video support with our children. *Someone needs to be providing the S< support if it is in section F. If you can contact someone from the team (there has been lots of information telling us they have been redeployed, so this might not be possible) then yes, a home package would be great. If you don't want to deliver content via video support then you could engage a service that is experienced in doing this already. Two I am aware of are Magic Words (<https://www.magicwordstherapy.co.uk/>) and Mable Therapy (<https://mabletherapy.com/>). Barnsley S< have their materials on their website. <https://www.southwestyorkshire.nhs.uk/cslt-resources/> and Amanda at WordsFirst <http://www.wordsfirst.uk/> has made her materials available. SpeechLink have made many of their materials free for parents: <https://speechandlanguage.info>*
2. When the EHCP provision is solely 1:1 TA support in class, where do schools and LA stand in delivering this provision? Parents are aware that EHCP budgets are at school... *What was the TA doing and what objectives from the EHCP are they working towards? And then what is currently being provided for the child and can they access it? It is the LA to organise for the provision in the EHCP and for you to facilitate that action. This question has some information missing for us to guide further, in that we don't know WHY the TA is in the class.*
3. Any ideas for speech therapy intervention that parents can do at home or TAs can deliver remotely? *Please see Q1 in this section*
4. Our outside agencies; mainly S&L and OT therapists have all been requisitioned by the NHS into different roles, therefore updating plans & working with these agencies is not currently possible for us & many schools. Any suggestions? *Please see Q1 for the speech and language support. OT is slightly more complicated in that it usually requires an adult to 'manipulate' the child. Ask the OT to provide home activities that the parents can support with or if they can undertake a video link to the home to work through easy to follow exercises. Explore websites such as <https://www.ot-mom-learning-activities.com/> which has plenty of advice on activities that can be undertaken in a multitude of environments. There is also some advice on www.theedenacademy.co.uk/parent-forum/physical-therapies-2020*

5. How should provision be made for those with an EHCP who are in Y11 or Y13 and have effectively finished their courses and their onward destinations are not yet known/confirmed? <i>Presumably not all interventions/provisions in section F were academic support, so continue to deliver those perhaps adapting to the next phase. Preparation for the future and life skills would be appropriate and assisting the student to make plans for their onward destinations.. Still funded for the EHCP and until the official end of Y11/Y13 still accountable for the student. Speak with LA and see if they have any transition work going on.</i>
6. So, my LA have said they cannot provide SALT- that is it! We cannot engage a private SALT to work with our EHC children. <i>Please see Q1</i>
7. What happens regarding EHCP funding, if pupils are not in school due to underlying health issues making them vulnerable? <i>They (you) are still in receipt of the funding. What process would normally be followed for a child unable to attend for medical purposes? What can be offered online? As the funding is still there, then you should be liaising with LA to put an appropriate package together.</i>
8. General advice about how to do remote lessons, when they are normally multi-sensory and practical? <i>This will generally rely on adult support being available at home. See below.</i>
9. I would like to know how best to support students with learning disabilities who are dependent on manipulatives. <i>This depends if they are in school or at home. If at home, provide the family with a pack of familiar materials. Perhaps film short videos showing how to use them. (YouTeachMeToo is good for this kind of thing). If in school, provide the manipulatives but have a bowl of Milton's (or other suitable disinfectant) available to put them in at the end of the sessions for cleaning. Most small manipulatives can be put into a pillowcase and run through a washing machine or dishwasher. It may be that your risk assessment indicates that it is not safe to have the children in school.</i>
10. What are other secondary settings doing with their Y11 students with an EHCP. Currently not setting any work for our Y11s and I feel that we need to do something for our most vulnerable. <i>Please see Q5</i>

Timelines and Missing Information - the law changed on May 1st and new timelines are suspended. Where things were already started there may be some delays (reasonable endeavours). LAs cannot apply blanket stoppers.

1. We have an EHC assessment that has just started which is due in by May 13th. We would have liked to support it with an up to date Ed Psych report which we are unable to do. What can we do? <i>It is the LA responsibility to engage an EP for the report - so put in the application/assessment and leave it with the LA to</i>
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make the arrangements. Many are using Skype calls (or similar) to undertake this with students from afar - some successfully, others finding it more complicated (especially where social and communication difficulties are present) but efforts are being made to try and protect the (current) timeline for the statutory assessment part.

2. Our local authority was already over the 20 week process before this current situation. Where do we stand as a school to make a complaint, get something sorted for this child. As a school we are still massively supporting this child. *As it stands today, (21st April 2020) the Children and Families Act 2014 and The Special Educational Needs and Disability Regulations 2014 that set out the timescales for the LA to follow remain unchanged in light of the Coronavirus bill. This means that the legal timescales must still be followed. Thus parents and institutions will still be able to request EHC needs assessments, which can still be carried out in the normal way. Decisions should still be issued on time. For new EHC Plans, or if you are awaiting your final EHC Plan, those processes will continue, and legally, the same deadlines will continue to apply. If those deadlines are missed by the local authority, they can still be challenged by way of Judicial Review. There is nothing to prevent new requests for EHC needs assessments to be made. Parents can submit their own request for an EHC needs assessment rather than requesting that the school do so. No particular forms need to be filled in for a legally valid request for an EHC needs assessment to be made. The only word of caution we would provide is understandably everybody is in a difficult position at the moment. Many people have to work from home for the first time, looking after children and trying to make it work and that includes LA officers. With that in mind, we suggest you give some grace to the absolute deadlines, but this does not mean local authorities can flout deadlines or do nothing. Perhaps a one-two week grace period would be sufficient and if you still do not receive anything from the LA, at that point you should consider the sending of a pre-action protocol letter. (I make no apologies for borrowing this response from Hayley Mason, Senior SEN LAwyer)*

3. I was in the process of completing a panel request however I cannot gain access to the whole paperwork as I am working at home-any suggestions?? *Submit what you can and paint a picture of the child's needs. 6 weeks from today would take you to the beginning of June and you may be back in school. Even if you are not, these are exceptional circumstances and the parental views are just as important, so make sure they are fully reflected in the request.*

4. I have several students in year 7 who we want to put forward for an assessment for an EHCP. We are not quite in the position where we would normally be in terms of referrals because of the lock down. One student has had his appointment with CAMHS cancelled where he was going to go onto medication. However, if I leave this till September I am concerned that the information will be out of date. What is your advice? I don't want to lose too much time as I think they will not cope when we do go back. *As previously answered, gather as*

much information as you can, especially from the family and put the application in.

Risk Assessments

<p>1. How are schools risk assessing their pupils for understanding if they are at risk of increased social care needs or pressures in the home? And how often are these being reviewed...???</p> <p><i>The risk assessment should involve the parents and the best person suited to organising that assessment. In this example, it seems to be sensible to suggest that the DSL might need to be involved. How often you review it is entirely up to you and has to be decided on a case by case basis.</i></p>
<p>2. Is this for finalised EHCPs or does it also include those in the assessment phase?</p> <p><i>Without the EHCP being issued they are not officially classed as 'vulnerable', so this is a decision which is up to the school. If the child is safe to remain at home then that is where they should be.</i></p>
<p>3. Do all students with EHCPs require a risk assessment (as best practice)?</p> <p><i>If you have no concerns and the child is staying at home, then the risk assessment process should be quick. Do they all need a FULL risk assessment, no. Do they need to have been considered and a decision recorded, yes.</i></p>
<p>4. Look at the 5 considerations for risk assessment - if a child is in the process of receiving an EHCP, has a social worker etc. They obviously fit the criteria for being in school, but after looking at the 5 considerations his parents are more than capable of meeting his needs at home but he comes into school every day. should he stay at home or can he still continue to go to school daily.</p> <p><i>This is a decision for the school and family. If the child is safe at home then that is where they should be.</i></p>
<p>5. Risk assessment is almost an unknown word in Greece. Could we have a sample of a case or a document to have a look at?</p> <p><i>We will append some examples below this table.</i></p>
<p>6. Is there a proforma for RA? or does it come from LLC?</p> <p><i>We will provide some examples, but please bear in mind that your LA might ask you for something specific.</i></p>
<p>7. With the possibility of LA being slow in producing risk assessments could you share a good example of a risk assessment please.</p> <p><i>Please see below this table</i></p>
<p>8. Do the risk assessments need completing for children who are going through the assessment EHCP stage?</p> <p><i>Please see Q2 and Q4</i></p>

There are some links to risk assessments at the bottom of this document, but our advice is to check with your LA before completing one of these. You do not want to duplicate work!

Transition and Appeals

1. As this is normally the term for transition for more vulnerable students, particularly SEND, and if we do not return until September, what would you suggest that we offer in the interim? *I suggested virtual coffee mornings and virtual meetings between the schools. There have been some excellent transition booklets shared around on social media. Some schools have engaged potential Y7 students in some of their current lessons, whereas others are sending home regular emails to students and introducing them to their school.*
SENDCOSolutions has a video (<https://youtu.be/RINA07ETS0M>) and a blog post about this that will be available from next week on www.sendcosolutions.co.uk
2. Some of our year 6 parents are concerned that appeals for secondary school places will not take place. Will they definitely take place even if they look different? Thank you. *This is the guidance you will need to refer to.*
<https://www.gov.uk/government/publications/admission-appeals-for-school-places/coronavirus-covid-19-school-admission-appeals> Appeals still take place, but they might be held by telephone or on paper rather than in person and there is a slight change in the timelines.
3. Lots of discussions about virtual coffee mornings. How have people gone about setting these up and what did they look like? *I'll try to include this in one of the future webinar sessions and see Q1.*

Work provided

1. How are SENCO's ensuring that teachers are setting work that caters for the needs of all individual learners. How is this monitored and supported? *How would you normally check? Meeting the needs of students remains the professional responsibility of teachers. More a question of how to provide support and guidance than monitor. Ensuring activities are tailored to meet all needs, not assuming an adult is there to support the child, collaborative activities, accept different ways to present the results. (No different to what should be going on anyway?)*

Support

1. Could the panel please advise about how much support primary schools should be offering pupils with EHCPs who are at home? Some parents have been asking for TAs to offer 5 hours a day of online learning support. Thank you. *Remember that it is section F of an EHCP that needs to be delivered and that remains (at the moment) an absolute duty. Therefore, you need to look at what the provisions are being made by the TA during that time and put as many of these into place as possible. (This is now reasonable endeavours)*

Attendance

1. Hi Just wondering what mainstream schools are doing where there are siblings without an EHC / vulnerability and issues of expecting one sibling to attend without the others. *If it is safer for a child to remain at home then that is where they should be. If your risk assessment has decided that to have the child with the EHCP in school is the best place (perhaps they are violent to their peers when at home) then they will attend school and access their provisions. If the risk assessment says that the child is not safe to be in the home and it isn't for a reason to do with their EHCP, then perhaps the other children are also not safe in the home and your DSL needs to be involved.*
2. A parent whose child has an EHCP wants her son to come into school in a bid to "establish routine". There are no safeguarding concerns at home. Should we permit his attendance? *If the child is safe at home, then that is where they should be. However, for some children the lack of routine is what is making things unsafe for them. Some schools are allowing children to attend for 1 or 2 days a week or a couple of hours each morning. Include in the risk assessment a consideration of how lack of routine could have negative implications for the child,*

Language Barriers and Engagement

1. How do we get past not being able to get hold of parents, or if parents don't speak English well enough to understand by telephone the assessment? *Engage the same translation services you would have used if you were based in school facing this problem.*
2. How can we support families where parents/carers do not want to do learning at home? *There is very little you can do here. IT may be a case of providing what you can and hoping some of it is engaging enough for the family to want to work with, but we have to remember that some families are chaotic and don't necessarily have a space and capacity to support. We will just have to make sure we have robust plans in place for when we reopen to address the learning gaps that 'may' have widened.*
3. We have a large number of EAL learners – How are schools coping with language barriers in the home and students understanding tasks without adult support? *Recommend online apps to support with translation Yandex/Google Translate. Programs which offer EAL support: Flash Academy. Short videos to accompany tasks/demonstrate. Games that the whole family can participate in and develop the whole family's English skills. Deliver lessons in first language.*

Specific Groups

1. Also...are refugee children or marginalised social groups considered SEND cases in U.K.? *They would not be considered SEND as they do not have special educational needs or disabilities, we think you mean “vulnerable”. And the answer is, that unless a social worker is involved, as may be the case for many refugee children, then they are not in this category. They are however, considered separately when it comes to the provision for free school meal vouchers which may have caused some confusion on release, yesterday. (Children of those with no recourse to public funds: <https://www.gov.uk/government/publications/covid-19-free-school-meals-guidance/guidance-for-the-temporary-extension-of-free-school-meals-eligibility-to-nrpf-groups>)*

Online and safeguarding issues

2. Hi, my school have said that TAs can't have 1:1 video chats because of safeguarding. Is there any way around this? *If this is your school stance then there is little you can do about it. You could offer telephone calls, or pre-record videos to share.*
3. Is it okay to do the reviews remotely I.e. Zoom? *Yes. just ensure you follow all security procedures and keep the virtual room locked.*
4. Could you advise on best platforms to use for virtual meetings in line with GDPR? *This is not our area of expertise! If you follow the safety and security protocols of the major providers you are unlikely to fall foul of any issues.*
5. Is it possible for panel to address the fact that there is VERY clear union advice not to use video conferencing to deliver content - and also the fact that Zoom has recently been judged to not be [merging GDPR compliance] *Your choice whether or not to use Zoom or one of the myriad alternatives is yours as a school, you just need to be aware of the safety guards built in to each of those platforms. As regards union guidance, whilst one has taken a hard NO stance on this the other has taken the more sensible stance saying that it is not appropriate for schools to **insist** that teachers or school leaders make telephone calls or hold one-to-one video conferences with children. Therefore, if this is something you personally object to, your school should not force you to do so. However, there is no such objection to schools and staff using the technology appropriately, under the remits of the AUP and safeguarding policies. If this is where you stand then you will have to find alternative ways to support your students.*

Furloughing

1. Is the advice with furloughing of TA's/staff different with academies than LA schools? *The guidance is the same for any school that receives money from the public purse whether that is a maintained LA school, an academy or an independent school receiving funds for the placement of a looked after child or one with an EHCP. The guidance can be found here: <https://www.gov.uk/government/publications/coronavirus-covid-19-financial-support-for-education-early-years-and-childrens-social-care/>*

Something specific

1. All EHCP students have had their element funding changed to element 3. As we have quite a few high needs - element 7/8 this will mean less funding. Is this what all LA's are doing? *This is specific to your local authority and is referencing banding of funding. I would doubt that the reduction in funding is specific to the COVID-19 circumstances as it is something that we see regularly happen across the country at various times throughout the year. It is worth considering in the future though, as LA will need to look closely at their budgets once things return.*

2. We're just about to restructure our SEND department (again!) and my SLT want to cut the number of support workers. I have argued that this is really poor timing as we are going to need more support as all SEND students will now be facing a transition back into school. Is there any reading you can recommend or advice you can give that I can use to help create a robust argument? *It would be poor practise as this point to restructure the SEND department and cut staff and would be clearly against the funding guidance mentioned in the section on furloughing. The school is still receiving the funding that it had budgeted for at the start of the year. If they are making plans for September, this is more complicated to argue. However, you are absolutely right that as you return, whenever that is, it will be all hands to the deck to ensure a smooth transition. As with any argument to retain staffing you need to present a robust argument why you need that many staff in the first place. Count up the hours of provisions in your EHCPs, look at what needs to be in place for children on SEN support (remember without provisions/interventions in place they shouldn't really be on your SEN register and any other duties that the support staff cover - perhaps breaks and lunch duties so that staff don't have to do them. From this you will have a more solid argument as to what your basic needs are, and then beyond that you need to look at what they will be doing additional to support the settling on our return.*

3. I am a new SENDCo... Just started the role so I am wondering what the expectation is of me as I also have a class I am teaching remotely. Can you advise me in this unique circumstance? *The best thing you can do at the moment is try to build relationships with your families. Teaching remotely and being the SENCO is likely to be tricky even if you knew all your students! Prioritise your own teaching and make sure that the EHCP pupils have everything in place. Trust the other teachers to provide for the SEN support students in the meantime. Start to make contact with the parents of EHCP*

pupils and eventually move on to those of your SEN support children. It will all depend on when we return to schools and what access to materials you have. If you have access to remote SEN files, then reading one a day and perhaps introducing yourself would be an achievable goal to aim for! Good luck.

4. Our School is currently without a SENCO. We are struggling to put together evidence for an EHC application. Where can we access support? *This will really depend on your school. If you are part of a trust could the SENCO from another school step in to support? Could you buy in a SENCO for a short period (although this may be difficult as they won't be able to access files, staff or students). The EHC application is a process that should be evidenced by the records you already have. Anyone can make the application, so perhaps a class teacher might be willing to have a go?*

Some questions were incredibly specific to your schools, circumstances and pupils and not possible for us to answer without further information. For example; I have a Y2 child not accessing provision, what can we do? We don't know why the child is not accessing nor what their needs are, or what needs to be in place for them.

Furloughing

1. Is the advice with furloughing of TA's/staff different with academies than LA schools? *The guidance is the same for any school that receives money from the public purse whether that is a maintained LA school, an academy or an independent school receiving funds for the placement of a looked after child or one with an EHCP. The guidance can be found here:*
<https://www.gov.uk/government/publications/coronavirus-covid-19-financial-support-for-education-early-years-and-childrens-social-care/>

RISK ASSESSMENTS

We had many requests for sample risk assessments.

Here are two:

<https://drive.google.com/file/d/1131be3eanUx9pUbbiUXCdRtK6aYiN6BB/view?usp=sharing>

This one from Simon Tanner at the Bohunt Trust.

https://drive.google.com/file/d/1_Useq2ElwVG_Rob3LwzANg-v_FUO3MDy/view?usp=sharing

And a more generic LA version..

A very popular question:

Can these webinars continue after these 4 are up?

We are working on the feasibility of this!